Appendix 14

SELF-REPRESENTED LITIGANTS PROJECT

Summary Chart - Court Observation

Court	Type	Gender of SRL	Difficulties in presenting case	Confidence	Competence	Demeanor of SRL	Reaction of SRL to Judge	Reaction of SRL to Lawyer	Reaction of Judge to SRL	Reaction of Lawyer to SRL	Verbal or Body Language
SCFD	Variation of Child Support	Respondent - Male	- did not bring any paperwork/not prepared; unaware of proper procedures	middle - answered questions clearly	middle - not sure how long he was to pay child support; was knowledgeable of important monetary values	- nonchalant, laid back; did not cross-examine applicant; agreed with applicant; sat quietly; respectful; dressed appropriately	- answered judges questions; open/respectful/ cooperative	-addressed lawyer in same manner as judge	- asked SRL questions; made point that Respondent did not have counsel; explained some law in the oral decision that he might not otherwise have done if represented by lawyer	- treated as would a lawyer; asked direct questions	- applicant upset, confident on the stand; but, upset afterwards; sat quietly during Applicants testimony facing judge but looking at Applicant
SCFD	Interim Hearing	Petitioner - Female Respondent - Male	- was unsure of procedure; did not know law (common law not under Matrimonial Act); not prepared with appropriate papers	P - middle R - middle	P - middle R - middle * had different expectations of what was going to happen in court	Petitioner - respectful; somewhat aggressive; dressed appropriately; attentive Respondent - respectful; attentive; dressed appropriately	Petitioner - wanted to make her point and became upset; responsive; very talkative Respondent - became somewhat aggressive when trying to make points	N/A	- asked many probing questions; allowed both to speak from chairs; cautioned them about lying summarized the entire case for both SRLs; explained situation and applicable legislation	- N/A	- tension between both SRLs - petitioner became quite upset and talked back to judge - both said they could not afford counsel

SCFD	Order for Custody	Respondent - Male	- did not have lawyer; said he was looking at Legal Aid; criminal matter also proceeding; asked for adjournment	middle - answered questions clearly	middle - knew he could ask for an adjournment; recorded what he was to bring to court; bowed on the way out	- respectful; answer questions posed; dressed appropriately; compliant	- unsure of judges questions; respectful; compliant; quiet; did not write down what judge ordered	- did not converse with lawyer	- gave instructions as to what to bring to court; fairly helpful; clarified what the SRL wanted to do for him	- didn't look at SRL; faced Judge to tell what little lawyer knew from SRL	- adjournment granted because Respondent did not have a lawyer
SCFD	Organizational Pre-Trial	Respondent - Female	- not aware of proper procedure; did not know that law	middle - stood to speak to judge	high - prepared information for the court; brought pen and paper; stood to speak to judge; knew documentation	- respectful; compliant; attentive; dressed appropriately; some difficulty articulating	- respectful and interactive and helpful ;somewhat timid yet wanted to speak; explained issues from the past; stood before the judge	- respectful; did not agree with lawyer; not much communication	- explained what evidence to bring; helpful; helped direct SRLs evidence'; suggested she speak with lawyer; summarized facts for SRL	- no direct communication; treated as would a lawyer	- brought grown up son with her; referred to lawyer and judge in a respectful manner
SCFD	Child Support	Applicant - Male Respondent - Female	- neither SRL knew what procedures; did not bring evidence	A - middle (confident yet, felt system is against him) R - middle (strong views)	A - low (did not understand he was to provide info) R - middle (knew figures for child support)	Applicant - respectful; aggressive, attentive, dressed appropriately Respondent - respectful; compliant; attentive; dressed appropriately	Applicant - took "did not care" attitude; negative body language; loud voice Respondent - quiet but, adamant about her side of things Both did not understand judge's questions	N/A	- judge acted as lawyer because neither had counsel - used old school terminology "man and wife" - asked many questions - went over figures many times	N/A	- tension between parties - SRLs did ask questions of each other

SCFD	Vary Child Support	Applicant - Female Respondent - Male	- not 100% sure of procedure yet both were prepared	A - middle (spoke clearly; answered questions; gave evidence) R - middle (spoke clearly; looked directly at judge)	A - high (numbers had been calculated and were aware of factors involved) R - high (presented reasons why he should not pay for particular items)	Both: respectful; attentive; compliant, dressed appropriately	A - listened attentively; respectful, gave appropriate info R - listened, respectful; provided info to judge	N/A	- explained proceedings clearly, gave both SRLs opportunity to speak; tried to have them identify the issues and then solve them; went through each issue throughly	N/A	- Both very cordial/ spoke to each other before proceedings began; tried to compromise
SCFD	Settlement Pre-trial conference	Respondent - Male	- did not understand purpose of settlement conference; able to present concerns and wishes	middle - spoke clearly; was slightly nervous and confused sentences	high - brought legal documentation to court; had a list of points to make; has gone to MEP himself	- respectful; compliant; attentive; dressed appropriately; fairly articulate	- spoke clearly to judge; wanted to offer explanations; not compromise; listened to judge; unclear of some issues; courteous	- lawyer remained silent in the procedure; difficult to judge; responded to lawyer inquiries	- very clear; explained procedures; offered both parties chance to speak; explained effect of court order and told him what evidence he needed to prove to make his point	- treated as would a lawyer; took opportunity to make suggestions	- Represented person was very upset
SCFD	Interim Application	Applicant - Male Respondent - Female	- appeared both had lawyers but did not attend this hearing - submissions by each one from counsel table	Applicant - high Respondent - middle	Applicant - high; alleging defamation; talking about relevance of her evidence Respondent - middle;	Applicant - many objections to information given by Respondent; had to be told to sit down; aggressive Respondent - stood throughout; listened and responded to judge	Applicant - spoke respectfully and used correct language; but didn't respect directions judge was giving about his conduct in court Respondent - attentive; responsive	N/A	- had to actively manage which one spoke and when each was allowed to speak -helpful in managing procedure and substance; acted as negotiator; summarized was was resolved; gave a bit of a lecture	N/A	Applicant - up and down with objections; apologized for taking up the courts time

SC	Child Support	Applicant - Male Respondent - Female	- unsure of procedure; lack of knowledge of the law; did provide documents	Applicant - middle Respondent - middle	Applicant - middle Respondent - middle	Both - dressed appropriately; respectful; difficulty verbalizing, attentive; both somewhat aggressive (or emotional) over child; judge managed it when they exploded	- wanted to tell their side of the story; brought things into the story that are not pertinent to the case ; stressed they wanted something fair; interrupted judge once	N/A	- judge sympathized with respondent; listened attentively; had to stress some authority to get them to listen; asked SRLs questions on the stand	N/A	- judge had to explain that the applicant was supposed to ask questions/ not give evidence; judge gave leeway and allowed applicant to testify from counsel chambers
SC	Change in maintenance	Applicant - Male Respondent - Female	- did not understand what evidence to give	Applicant - high Respondent - middle	Applicant - middle Respondent - middle	Both dressed appropriately; respectful; articulate compliant; attentive	- positive; both wanted to provide lots of information; did not understand process	N/A	- positive; explained situation; had to ask if they wanted to take the stand; business like; suggested solution on issue; sought reaction from each litigant; offered clarification on point of law but, did they understand?	N/A	
SC	Maintenance	Applicant- Female Respondent - Male	- unsure of what law means; not sure what could be discussed or resolved	Applicant - high (knew what she was asking for) Respondent - high (asked questions)	Applicant - middle Respondent - middle	- dressed appropriately; respectful; articulate; compliant; attentive	- asked questions that they wanted clarified; got into discussions about birth control; very specific about amounts	N/A	- used mathematical examples to explain situation; offered a solution; judge figured out calculations	N/A	Respondent - laid back in chair; non-chalant

SC	Maintenance	Applicant - Male Respondent - Female	- too short to determine	Applicant - middle Respondent - middle	Applicant - low Respondent - middle	-dressed appropriately; male in T-shirt and jeans; respectful; compliant; attentive	-asked questions; positive	N/A	- helpful (answered questions); led parties through matter by asking direct questions on issues	N/A	
FC	Maintenance	Applicant - Female		Applicant - middle	Applicant - middle	- not dressed extremely appropriately; respectful; compliant; attentive	- answered questions politely	- surprised Respondent had a lawyer	- helpful/polite - explained what was happening	- no interaction however indicated he would speak with her	
FC	Vary Maintenance	Applicant - Male Respondent- Female	- too short to determine	middle	middle	- dressed appropriately, respectful; compliant; attentive	- answered questions posed	N/A	-explained guidelines to both	N/A	
FC	Child Support	Applicant - Female		middle	middle	- respectful; compliant; attentive	- listened and verbalized agreement		- explained process; disclosure and substance process	- didn't bring copies of financial info for court or SRL; incomplete because of lack of recent pay stubs	
PC	S 253(b) Trial	Defendant - Male	- changed plea to guilty at commencement of trial	middle - uncertain but not intimidated	?	- respectful; quiet	- respect	- same; unsure if they were allowed to speak with Crown before court began when approached by Crown	- same as to all others in court that day	- same	

SCFD	Vary child support	Applicant - Female Respondent - Male	- SRL applicant did not show; asked about filing was told about copying and process for filing documents	Respondent - middle; asked questions about procedures	Respondent - middle; understood judge's instructions	- asked numerous questions; attentive	- questioned length of proceedings; asked questions (procedural and about photocopies)	N/A	- helpful; explained procedures; informed Respondent; answered questions	N/A	
SCFD	Settlement Pre-Trial	Applicant - Female	- difficult to determine as they dealt with family issues that were understood by the parties; a negotiation session	high; asked questions; ensured her point of view was heard; well-spoken; clear explanation of the situation	high - knowledgeable; clear on what she wanted; always took initiative to explain situation	- polite; dressed in a suit; quiet until asked; attentive; adamant that arrangements not change dramatically; working together; agreeable	- polite, asked questions, respectful; questioned judge with clear confident voice	- positive; gave appropriate papers to lawyer; questioned lawyer about arrangements and income	- helpful; explained procedures; asked questions to acquire information; discussion type of atmosphere; judge led discussions	- told her where she could sit; answered questions posed by SRL; made suggestions; patience was wearing when asked the same questions	- helpful to have one person represented because it automatically fell to them to prepare the documentation
SC	Dist. Of Estate	Plaintiff - Male (wife not a party but acted as representative)	- did not know what questions to ask at cross-examination nor did they obtain documents from their lawyer	Plaintiff - started off as high but, slowly diminished Wife - high; asked many questions	Plaintiff - low; did not understand or acted as though he did not understand Wife- middle; paid attention to testimony then asked questions	- dressed appropriately; respectful; difficulty verbalizing, sometimes aggressive, attentive	- SRL talked over judge; wanted to tell story; listened when judge explained procedures	- not much interaction between SRL and lawyer; SRL did not take stand; counsel had to make a motion to question them	- judge would clarify questions SRL was trying to ask; judge cautioned counsel not to ask leading questions, judge was helpful and would point out questions to ask	- lawyer hostile towards SRL (when SRL spoke out of turn); lawyer did try to help SRL find brief	- SRL did not ask questions of one witness because he was exasperated that it was of no use; difficult for SRL to cross-examine own family members; SRL was found to be in the wrong; this case ended in tragedy; SRL killed the Defendant (his sister) and then killed hi[illegible]

SCFD	Provisional	Applicant - Female	- solicitor was sick; applicant given choice of proceeding or not; chose latter								